

Gallup Business Improvement District
Meeting of Board of Directors, July 18, 2019, 3 PM Rico Motors

Minutes

Call to order – 3:11 PM

Attendance – Roll call: Present - Louie Bonaguidi, Steve Gurley, Anna Biava, Archie Baca, Jr, Sammy Chioda, Mickey Menapace, Brett Newberry, James Rich, Maryann Ustick

Excused absence: JM DeYoung, B. Rosebrough

Motion to approve Agenda: B. Newberry; 2nd: S. Chioda. Unanimously approved.

Motion to approve Minutes of June 20, 2019 meeting: J. Rich; 2nd: S. Chioda. Abstain: S. Gurley (did not attend June 20 meeting). Unanimously approved.

Motion to approve Monthly Financial Report: A. Biava; 2nd: A. Baca, Jr. Unanimously approved.

Brett Newberry will discuss the format of the BID financial report with BID CPA Tony Gonzales.

Voting items:

Motion to approve façade appearance improvement reimbursement request from M DiPauli, MEK Enterprises, 307 West Aztec Avenue for

Pavers, gravel, landscaping – cost: \$3048.00

BID assessment fee paid last 12 months: \$2708.00

Motion to reimburse \$2708.00: S. Gurley; 2nd: A. Biava. Unanimously approved.

Requests for BID marketing support grants for downtown events:

Downtown Fourth of July celebration: request from Quintana Music for reimbursement for costs of advertising and promotion efforts to bring people to downtown. City had contracted with Quintana Music to manage the event. Event attracted 2,000 people to downtown Walkway – Courthouse Plaza.

Motion to reimburse \$1500. for advertising expenses for Downtown Fourth of July event: S. Gurley; 2nd: A. Biava. Vote yes: Louie Bonaguidi, Steve Gurley, Anna Biava, Archie Baca, Jr, Sammy Chioda, Mickey Menapace, Maryann Ustick, Brett Newberry. Vote no: James Rich.

Motion to reimburse Relay for Life \$1500 for marketing/advertising expenses for June 2019 Downtown Plaza event: S. Gurley; 2nd : A. Baca, Jr. Unanimously approved.

Motion to reimburse Lions Club \$1500 for marketing/advertising expenses for Annual Lions Club Rodeo June 2019 downtown event: S. Gurley; 2nd: A. Baca, Jr. Unanimously approved.

Request to pay for full-page 4C ad in August issue of Gallup Journey to advertise Gallup Ceremonial "Best in Show" exhibit at Gallery ART 123. Exhibit will be co-managed by Gallup Main Street Arts & Cultural District and GallupARTS. Motion to pay for this one time ad, amended with requirement that BID logo be included in the layout: J. Rich; 2nd: B. Newberry. Unanimously approved.

Discussion items:

The NMAG office sent the BID Board a Determination Letter following its review of BID meeting procedures, agendas and minutes in relation to the requirements of the New Mexico Open Meetings Act. The BID Board was found to be in violation of several requirements under the Open Meetings Act. NM AG Office directed the BID Board to take remedial action to correct past violations and to follow more rigorously the requirements of the Open Meetings Act in the future. Remedial actions required are:

- amend the minutes from 2018 meetings to specify names of Board member attendees at meetings and votes taken at meetings. Provide more specifics about topics discussed. Post the amended minutes on City of Gallup web site in place of the originally posted minutes.
- Determine the schedule for each monthly meeting during the coming year, then, vote in the succeeding meeting to adopt the schedule and also post the schedule in several locations to inform the public of the schedule. Notice of each meeting will be posted in publicly available locations ten days in advance of the Board meeting.
- Adhere to NMAG guideline for going into a "closed session" during a meeting. That is: take a roll call of members present who will go into the closed session, announce the general reason for the closed session, hold the closed session, end the closed session. Upon concluding the closed session, announce that only the item specified to be discussed when going into closed session was actually discussed. If it was determined in closed session that the Board is ready to vote on the item discussed, then that vote will be scheduled for the agenda for the following month's regular meeting as a voting item.

BID Executive Director Bee will retype the minutes of the past meetings to include the required additional information. Then the amended minutes will be voted on for acceptance by the Board at the August meeting, and then posted to City of Gallup web site replacing the originally posted minutes.

The Board agreed to a schedule of BID monthly meetings continuing to be held on the third Thursday of each month. The meeting schedule will be a voting item on the August agenda, utilizing the meeting schedule resolution template provided in the NMAG OMA guidebook. Then it will be posted on City website and additional publicly available spaces.

Per agreement with NMAG's office, once the remedial actions have been completed, BID Executive Director Bee will notify NMAG's office in writing that the remedial actions were successfully completed and that the BID will adhere to the requirements of the OMA in all future meetings.

There was a discussion of the NMAG rationale for requiring Gallup BID to follow the OMA specifications. During its early years of operation, Gallup BID Board had received a legal opinion that the BID, as a private property owners special assessment district, must follow Roberts Rules of Order, but, because the BID does not make public policy decisions, not follow the NM Open Meetings Act. However, more recently, NMAG had ruled that Gallup BID should follow the OMA because it was created by City of Gallup ordinance and it does receive the funding match from City of Gallup. City Manager Ustick will ask City Attorney Hayes to attend the August 15 BID Board meeting to review the OMA and answer questions about it.

BID work plan

ED Bee proposed a concept for a financing tool for funding façade and other building improvements for existing buildings within the BID district. If possible, it may enable creation of a fund that will be larger than the fund currently used for improvements. More research will be done on the specific logistical, financial and legal details of creating and managing such a program to see if it is feasible. It will be a discussion item on the August agenda.

By Laws update: a revision will be voted on for an update of the By-laws during the August 15 Board meeting. The By-Laws state that the Executive Committee will be made up of the President, Vice-President and Treasurer. The Board will vote on a motion to include the Secretary on the Executive Committee.

Coal Avenue Commons project update. Project architects have provided "60%" complete construction drawings. There will be a meeting in early August to receive a presentation of "90%" complete drawings.

On the agenda for the August meeting, there will be a closed session – annual review of personnel, Executive Director.

Main Street update from Kara Smith, GMSACD ED – obtaining information from downtown business owners via a survey; working on the Ceremonial "Best in Show Night" arts exhibit at Gallery 123; will apply for NM Main Street Capital Outlay funds for Coal Avenue Commons construction project.

Other discussion

No additional items discussed.

Reports

June 21 – met with Mark Garcia to sign contracts for July 27 Ride Flight Cruise Freedom Festival sound system and band performances

June 25 – City Council meeting – Council approved the street closures and event permits for: 1. Monthly Arts Crawl events; 2. Annual Gallup Freedom Ride Flight Cruise Festival

June 26 – BID special Board of Directors meeting – vote for Officers.

June 27 – with A. Baca Jr., met with Carl Ballenger at Navajo Spirit on West Coal to discuss Mr. Ballenger's desire for the BID to provide advertising (content and funding) for individual retail companies within the BID District. F Bee and A. Baca will have a follow up meeting with Carl.

July 1- BID special Board of Directors meeting – discussed and voted on Downtown Private Security Bicycle Patrol contract

July 5, 7, 8 – began kiosk repairs; met with Hinkley Sign Company and Abeita Glass Company

July 11 – meeting with R. Quintana to review plans for marketing and execution of the July 27 Downtown Freedom Festival portion of the Annual Freedom Ride Flight Cruise event

July 12 – BID Board Executive Committee meeting to create agenda for July 18 BID Board meeting agenda

July 12 – meeting to discuss BID sign grant program with Katie Schultz, manager of RMCH "Healing Hands" post-rehab vocational back-to-work program, located at 194 East Hwy 66. The building is owned by Dominic Biava. Board members discussed the merits of the Healing Hands program for our community. Sign grant reimbursement request will be a voting item on the August 15 agenda.

Date for next BID Board meeting: August 15, Rico Motors, 3 PM.

Motion to Adjourn: B. Newberry; 2nd: A. Baca. Unanimously approved.